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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 DANIEL J. VAN MILL and SHIELA L. VAN
11 MILL, husband and wife,

12 Plaintiffs,

13 v.

14 WRIGHT MEDICAL TECHNOLOGY, INC., a
15 foreign corporation,

16 Defendant.

CASE NO. C03-2989RSM

ORDER ON MOTION TO COMPEL

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18 This matter is before the Court on plaintiffs' motion to compel production of documents and
19 answers to interrogatories. The Court finds that counsel's compliance fails to comply with the
20 certification requirements of F.R.Civ. Proc. 37 (a)(2)(A) and Local Rule CR 37(a)(2)(A). Counsel
21 simply states that "there have been a number of good faith conferences . . . These conferences have been
22 accomplished by telephone, in person and by correspondence." Dkt. # 40. This certification wholly fails
23 to sufficiently "detail the efforts to confer and explain why they proved fruitless." Prescient Partners,
24 L.P., v. Fieldcrest Cannon, Inc., 1998 WL 67672 (S.D.N.Y. 1998); *citing* Tri-Star Pictures, Inc., v.
25 Unger, 171 F.R.D. 94, 99 (S.D.N.Y. 1997). Further, the certification must "accurately and specifically
26 convey to the court who, where, how, and when the respective parties attempted to personally resolve
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28 ORDER ON MOTION TO COMPEL - 1

1 the discovery dispute.” Shuffle Master, Inc., v. Progressive Games, Inc., 170 F.R.D. 166, 170 (D. Nev.
2 1996). Accordingly, plaintiff’s motion to compel (Dkt. # 37) is DENIED.

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4 DATED this 19 day of April, 2005.

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7 RICARDO S. MARTINEZ
8 UNITED STATES DISTRICT JUDGE
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